

AGENDA - COMMON COUNCIL MEETING – December 16, 2014 - 5:30 PM
REGULAR MEETING

1. Call to order, Roll Call and Pledge of Allegiance to the flag.
2. Certification of prior meetings. Resolution dispensing with reading of minutes.
3. Reading of Privilege of the Floor Regulations.
4. Privilege of the Floor:
5. Communications from the Mayor including disapproval messages.
6. Communications from the public and petitions:
 1. Request from Brian Madurski on behalf of the Northern Chautauqua County Youth Hockey Association to use the boat launch at the Pier on February 21st for a Polar Bear swim fundraiser.
 2. Request from Michael Sarratori, Dunkirk City School District Athletic Director, requesting police supervision for the Boys' Basketball game vs. Fredonia High School on Thursday, February 5th from 5:45 to 9:15 PM.
 3. Request from The Great Lakes Experience, Inc. to use Memorial Park on Saturday, June 13th from 9:00 AM to 7:00 PM for a US Fish & Wildlife Service Event.
7. Reports of Standing Committees, Boards and Commissions.
8. Unfinished Business:
 93. Resolution introducing Local Law #3-2014 amending Chapter 31, Article III, Water Rate Schedule Section 31-19 of the Dunkirk City Code entitled "Rate Structure."
9. Pre-filed Resolutions:
 101. Authorizing Shared Services Agreement Extension (Police services – Town of Dunkirk).
 102. Authorizing budget modifications (December 2014).
 103. Awarding Bid – 2015 sludge and grit hauling (Dunkirk Water Pollution Control Facility).
 104. Awarding Bid – 2015 treatment chemicals (Water Pollution Control Facility and Water Treatment Plant).
10. New Business:
11. Adjournment.

Nicole Joiner
City Clerk

2015 NCCYHA POLAR PLUNGE SWIM

Mayor Dolce,

I am writing this letter on behalf of the Northern Chautauqua County Youth Hockey Association (NCCYHA) to request the use of the boat launch at the Dunkirk Pier on February 21st 2015 for a Polar Plunge swim event. The proceeds from the 2015 swim fundraiser will be donated to the RO Foundation.

The RO Foundations mission is to raise monies through fundraising events and donations to assist local medical patients and their families with monies to offset cost associated with "transportation" to and from medical appointments for treatments.

Allstar EMS Services will schedule to have a crew onsite for the swim along with Lt. Gary Katta and the Dunkirk Fire Dept. dive team will be in the water once again.

The 2014 Polar Plunge was a very successful event and the NCCYHA would like to continue to build on the success again next year. The NCCYHA thanks the City of Dunkirk for its consideration of this request and anxiously awaits the council's reply.

Sincerely,

Brian Madurski

NCCYHA Board of Directors

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2014 DEC 11 AM 10:32



DUNKIRK CITY SCHOOL DISTRICT

620 Marauder Drive
Dunkirk, New York 14048
Telephone (716) 366-9300
Fax (716) 366-9399

MR. KENNETH A. KOZLOWSKI
President
Board of Education

MR. GARY CERNE
Superintendent

December 9, 2014

2014 DE 11 AM 11:01
RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.

Chief David Ortolano
Dunkirk Police Department
Central Avenue
Dunkirk, NY 14048

Dear Chief Ortolano:

We would like to request police supervision at our High School gymnasium on Thursday, February 5, 2015 from 5:45pm to 9:15pm for a Boys' Basketball game vs. Fredonia High School.

Compensation for providing coverage will be remitted.

Please let me know if this causes a coverage dilemma for you. As always thank you for your help.

Sincerely,

Michael Sarratori
Athletic Director

RECEIVED

DEC 11 2014

DUNKIRK POLICE DEPT



The Great Lakes Experience

PO Box 385
Williamsville, New York 14231-0385
716/545-1700
www.thegreatlakesexperience.org

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2014 DE 11 PM 12:31

Board of Directors

Robert Fritzinger
President

Juliana Janson
Vice President

David Mika
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Secretary

Tim Aldrow

Tom Bello

Andrew Borden

Michael Pietkiewicz

Emeritus Board Members

Henry Nowak

Randy Oppenheimer

Jack Quinn

December 3, 2014

Dunkirk City Council
342 Central Ave.
Dunkirk, New York 14048

Dear Dunkirk Council Members,

The Great Lakes Experience, Inc. (GLE) is a nonprofit organization that supports the mission of the US Fish and Wildlife Service. One of the most important roles of the GLE is to help the Service engage the community and work with them to protect and enhance the natural resources of the Lower Great Lakes ecosystem. Outreach and education initiatives are of the greatest importance in encouraging responsible decisions that affect our lands and waters.

One of our biggest outreach efforts is our GLE Festival. The Festival is our best opportunity to educate the community about local natural resources, celebrate our ecological success stories, and to reinforce the simple truth that everyone has a role in protecting our shared environment.

By hosting live animal exhibits and educational games and displays, visitors will enjoy learning about everything from local wildlife to safe boating. The Festival fosters an enhanced awareness that encourages private organizations and local residents to participate in the mission of Federal and State agencies to protect, conserve and enhance the fish, wildlife and their habitats for the continuing benefit of the citizens of Western New York.

Last year, the GLE brought our Festival to Chautauqua County with over 2000 visitors. We would like to work closely with the City of Dunkirk again to bring the Great Lakes Experience Festival to Memorial Park on Saturday, June 13, 2015, from 11AM to 5PM.

For a successful event, the GLE needs a day to hold the festival, approximately 8-10 hours, which includes set up and tear down of tent displays. The Festival also includes live music, food, and free promotional gifts to every child that visits the event.

The GLE Festival targets all members of the public, young and old, avid fishermen and those attempting their first cast and we would love to be a part of your city's summer programming.

Thank you for your time and attention. Please let me know what we need to do to be considered as part of Dunkirk's 2015 event schedule.

Sincerely,

Robert H Fritzinger
President and Chair

UNFINISHED BUSINESS :

RESOLUTION #93-2014
DECEMBER 2, 2014

BY: THE ENTIRE COUNCIL

INTRO NO. 1 TO LOCAL LAW #3-2014
CITY OF DUNKIRK, NEW YORK

**A LOCAL LAW TO AMEND THE DUNKIRK CITY CODE, CHAPTER 31, ARTICLE III,
SECTION 31-19 ENTITLED "RATE STRUCTURE"**

BE IT ENACTED by the City Council of the City of Dunkirk, New York, as follows:

Section 1 Intent.

It is the intent of this Local Law to amend Dunkirk City Code Chapter 31, Article III, Section 31-19 "Rate Structure", to amend the Quarterly and Monthly Water Rates, in order to generate additional required income necessary to retire the capital debt incurred as a result of the construction and improvements necessitated by compliance with certain regulatory agency mandates arising out of a Consent Order (October 2009) between the City of Dunkirk and the Chautauqua County Department of Health.

Section 2 Amendment of City Code.

Dunkirk City Code Chapter 31, Article III, Section 31-19 is hereby amended as follows:

ARTICLE III

Water Rate Schedule
[Adopted 6-18-1992 as L.L. #6-1992]

§ 31-19. Rate structure. [Amended 10-27-1993 as L.L. #11 (Intro No.15) 1993; Amended 6-6-1995 as L.L. #16-1995; Amended 10-28-1996 as L.L. #17 (Intro No. 17) 1996; Amended 12-3-2002 as L.L. #4-2002; Amended 12-12-2006 as L.L. #12-2006; Amended 12-14-2009 as L.L. #3 (Intro No. 4) 2009; Amended 11-05-2012 as L.L. #1 (Intro No. 1) 2012]

The following constitutes the rate structure for water services provided by the City of Dunkirk.

DELETE

EFFECTIVE JANUARY 1, 2013
[Amended 11-05-2012 as L.L. #1 (Intro No. 1) 2012]

FOR ACCOUNTS BILLED QUARTERLY (fully-reflected in the three-month billing cycle ending March 31, 2013):

QUARTERLY

	<u>CITY RATE</u>	<u>SUBURBAN RATE</u>
Minimum up to 5,000 gallons	\$33.75	\$59.07

DELETE

FOR ACCOUNTS BILLED MONTHLY (fully-reflected in the one-month billing cycle ending January 31, 2013): [Amended 11-05-2012 as L.L. #1 (Intro No. 1) 2012]

MONTHLY

	<u>CITY RATE</u>	<u>SUBURBAN RATE</u>
Minimum up to 2,000 gallons	\$11.25	\$19.69

DELETE

EFFECTIVE JANUARY 1, 2014

FOR ACCOUNTS BILLED QUARTERLY (fully-reflected in the three-month billing cycle ending March 31, 2014): [Amended 11-05-2012 as L.L. #1 (Intro No. 1) 2012]

QUARTERLY

	<u>CITY RATE</u>	<u>SUBURBAN RATE</u>
Minimum up to 5,000 gallons	\$45.00	\$78.75

DELETE

FOR ACCOUNTS BILLED MONTHLY (fully-reflected in the one-month billing cycle ending January 31, 2014): [Amended 11-05-2012 as L.L. #1 (Intro No. 1) 2012]

MONTHLY

	<u>CITY RATE</u>	<u>SUBURBAN RATE</u>
Minimum up to 2,000 gallons	\$15.00	\$26.25

ADD

EFFECTIVE JANUARY 1, 2015

FOR ACCOUNTS BILLED QUARTERLY (fully-reflected in the three-month billing cycle ending March 31, 2015):

QUARTERLY

	<u>CITY RATE</u>	<u>SUBURBAN RATE</u>
Minimum up to 5,000 gallons	\$57.00	\$99.75

ADD

FOR ACCOUNTS BILLED MONTHLY (fully-reflected in the one-month billing cycle ending January 31, 2015):

MONTHLY

	<u>CITY RATE</u>	<u>SUBURBAN RATE</u>
Minimum up to 2,000 gallons	\$19.00	\$33.25

Section 3 **Effective Date.**

This Local Law shall take effect immediately upon filing with the Secretary of State.

12-2-14 Councilwoman Szukala motioned to table Local Law #3-2014 with a Public Hearing to be held on December 16th at 5:15 PM. Seconded by Councilman Rivera.

Carried, all voting aye. TABLED.

RESOLUTION #101-2014
DECEMBER 16, 2014

BY: THE ENTIRE COUNCIL

**AUTHORIZING SHARED SERVICES AGREEMENT EXTENSION
(POLICE SERVICES – TOWN OF DUNKIRK)**

WHEREAS, the City of Dunkirk, by Resolution No. 68-2012 (August 6, 2012), and the Town of Dunkirk, entered into a shared services agreement for certain police services, which was extended through December 31, 2014; and

WHEREAS, the City and Town desire to extend the mutually-beneficial agreement for calendar year 2015; now, therefore, be it

RESOLVED, that the Mayor is hereby authorized and directed to execute any and all documents necessary for a shared services agreement with the Town of Dunkirk, for police services, from January 1, 2014 through December 31, 2015, at a cost of One Thousand Seven Hundred Fifty Dollars and Zero Cents (\$1,750.00) per month for January, 2015 through December, 2015.

RESOLUTION #102-2014
DECEMBER 16, 2014

BY: THE ENTIRE COUNCIL

AUTHORIZING BUDGET MODIFICATIONS
(December 2014)

WHEREAS, it is anticipated that some expenses will exceed their entire budgetary essentials, and it is anticipated that some appropriations will have surpluses for Fiscal Year 2014, ending December 31, 2014; now, therefore be it

RESOLVED, that the Fiscal Affairs Officer is hereby authorized and directed to make the following modifications to the Fiscal Year 2014 budget:

FUND 1

Description: Senior Citizens Center - Equipment Line Item - purchase snow blower.

<u>Account No.</u>	<u>Department</u>	<u>Line</u>	<u>Change</u>
001.6772.2005	Senior Citizens Program	Equipment	\$ 780.00
001.6772.4102	Senior Citizens Program	Recreational Activities	\$ (780.00)
		TOTAL	\$ -

FUND 1

Description: Senior Citizens Center - Maintenance of Center performed in house.

<u>Account No.</u>	<u>Department</u>	<u>Line</u>	<u>Change</u>
001.6772.1000	Senior Citizens Program	Personnel	\$ 4,500.00
001.6772.4036	Senior Citizens Program	Contracted Services	\$ (4,500.00)
		TOTAL	\$ -

FUND 1

Description: Fiscal Affairs - Internship of paid FSU student through transfer from contracted services.

<u>Account No.</u>	<u>Department</u>	<u>Line</u>	<u>Change</u>
001.1310.1000	Fiscal Affairs	Personnel	\$ 3,000.00
001.1310.4036	Fiscal Affairs	Contracted Services	\$ (3,000.00)
		TOTAL	\$ -

FUND 1

Description: Fiscal Affairs - Equipment line item higher than anticipated.

<u>Account No.</u>	<u>Department</u>	<u>Line</u>	<u>Change</u>
001.1310.2000	Fiscal Affairs	Equipment	\$ 475.00
001.1310.4002	Fiscal Affairs	Supplies	\$ (173.60)
001.1310.4036	Fiscal Affairs	Contracted Services	\$ (301.40)
		TOTAL	\$ -

FUND 1

Description: Public Works Administration – Equipment line item expense higher than anticipated.

<u>Account No.</u>	<u>Department</u>	<u>Line</u>	<u>Change</u>
001.1490.2000	Public Works Admin	Equipment	\$ 1,000.00
001.1620.1000	Building City Hall	Personnel	\$ (1,000.00)
		TOTAL	\$ -

FUND 1

Description: Maintenance of Streets – Salt line item expense higher than anticipated.

<u>Account No.</u>	<u>Department</u>	<u>Line</u>	<u>Change</u>
001.5142.4007	Maintenance of Streets	Salt	\$33,000.00
001.8160.1000	Refuse & Garbage Coll	Personnel	\$(33,000.00)
		TOTAL	\$ -

FUND 1

Description: Tree Trimming – Contracted Services line item expense higher than anticipated.

<u>Account No.</u>	<u>Department</u>	<u>Line</u>	<u>Change</u>
001.8560.4036	Tree Trimming	Contracted Services	\$ 1,900.00
001.5110.4036	Maintenance of Streets	Contracted Services	\$(1,900.00)
		TOTAL	\$ -

FUND 1

Description: Police – Asset forfeiture reimbursement necessitated by accounting timing entry.

<u>Account No.</u>	<u>Department</u>	<u>Line</u>	<u>Change</u>
001.3120.4240	Police	Restricted Drug Purchase	\$ 9,000.00
001.1900.1990	General Services	Contingencies Allowance	\$ (8,000.00)
001.3120.4036	Police	Contracted Services	\$ (1,000.00)
		TOTAL	\$ -

FUND 1

Description: Public Works Administration – Contracted Services line item expense higher than anticipated.

<u>Account No.</u>	<u>Department</u>	<u>Line</u>	<u>Change</u>
001.1490.4036	Public Works Admin	Contracted Services	\$ 3,000.00
001.1620.1000	Building City Hall	Personnel	\$ (3,000.00)
		TOTAL	\$ -

RESOLUTION #103-2014
DECEMBER 16, 2014

BY: COUNCILMAN RIVERA

**AWARDING BID – 2015 SLUDGE AND GRIT HAULING
(DUNKIRK WATER POLLUTION CONTROL FACILITY)**

WHEREAS, following published legal notice, one (1) sealed bid for 2015 hauling of sludge and grit from the City Water Pollution Control Facility was received, opened and read aloud in the Dunkirk City Clerk's Office at 1:30 p.m. on December 10, 2014, now, therefore, be it

RESOLVED, that upon the recommendation of the Director of Public Works, the low bid of **Bestway Container Service, 202 East Main Street, Fredonia, New York 14063**, be and hereby is accepted for 2015 Sludge & Grit Hauling at the following unit costs:

Item 1 – Sludge Hauled to Ellery \$11.99 per ton

Item 2 – Grit Hauled to Ellery \$ 41.39 per ton

and, be it further

RESOLVED, that the Mayor is authorized and directed to execute any and all documents, on behalf of the City of Dunkirk, for the Year 2015 Sludge and Grit Hauling, and, be it finally

RESOLVED, that the City Clerk is hereby authorized to return the bid deposit of the bidder, following contract execution, in accordance with the contract specifications.

RESOLUTON #104-2014
DECEMBER 16, 2014

BY: COUNCILMAN RIVERA

AWARDING BID - 2015 TREATMENT CHEMICALS
(WATER POLLUTION CONTROL FACILITY AND WATER TREATMENT PLANT)

WHEREAS, following published Legal Notice, sealed bids for the furnishing of wastewater treatment plant and water treatment plant chemicals were opened and read aloud in the Dunkirk City Clerk's Office at 1:30 p.m. on December 10, 2014; and

WHEREAS, the bids were reviewed by the Department of Public Works and the Department of Public Works recommends that the lowest responsible bidder(s) be awarded bids for such 2015 wastewater treatment plant and water treatment plant chemicals; now, therefore, be it hereby

RESOLVED, that upon review and recommendation of the Director of Public Works, the following lowest responsible bids be accepted and awarded for furnishing wastewater treatment plant and water treatment plant chemicals for 2015:

<u>Bidder</u>	<u>Item</u>	<u>Cost</u>
Chemical Distributors, Incorporated 80 Metcalfe Street Buffalo, NY 14206	Aqua Ammonia Solution Phosphoric Acid	\$0.22 per pound NH ₄ OH \$0.57 per pound
Amrex Chemical Co., Inc. 117 East Frederick Street PO Box 642 Binghamton, NY 13902	Sulfur Dioxide	\$1.10 per gross pound
Kemira Water Solutions 4321 West Sixth Street Lawrence, KS 66049	Ferric Chloride Poly-Aluminum Chloride	\$424.90 per dry ton \$864.91 per dry ton
JCI Jones Chemicals, Inc. 100 Sunny Sol Blvd. Caledonia, NY 14423	Liquid Chlorine	\$333.00 per ton
Mercer Lime Company 560 Branchton Road Slippery Rock, PA 16057	Hydrated Lime	\$187.23 per dry ton

and, be it further

RESOLVED, that the Mayor is authorized and directed to execute any and all documents, on behalf of the City of Dunkirk, with the above-named vendors, for the purchase of such treatment chemicals, and that the City Clerk is hereby authorized to return the bid deposits of the bidders, after contract execution or non-awarded bid, in accordance with the contract specifications, and that the City Clerk shall return unaccepted and unsealed any and all bids received after the date and time of the published bid opening.